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U.S. Patent & Trademark Office Patent Examining Operations

Re. Application No. 10/772/536 \0772535
Filed 2/6/04
Examiner Frantz F.Jules
Art Unit 3617
Conf. No. 5402

Commissioner of Patents PO Box 1450 Alexandria, VA 22313-1450

Follow up regarding a letter by M.L. Lukacher, Esq. (R.N. 17788) concerning a Notice of Abandonment of the subject application by Matzan, Eugene, who is a client of mine. I work with Mr. Lukacher in matters of patents.

My client and I would much appreciate if you would respond to our Petition to Revive. Looking forward to hearing from you.

Respectfully.

alexander E. Marten

Cc M.L. Lukacher.

Enclosure: A copy of Response of 6/25/05

A copy of the Notice of Abandonment

A copy of the postcard confirming delivery to the PTO



THIS IS TO CONFIRM THE RECEITION THE PETITION TO REVIVE APPLI-CATION 10/172/536. 10772535 THANK YOU.





US Patent & Trade Mark Office Patent Examining Operation

Re. Application No. 10/772/536 \\
Filed 2/6/04
Examiner Frantz F. Jules
Art Unit 3617
Conf. No. 5402

Response to Action of 5/15/06 and Petition to Revive

Commissioner of Patents PO Box 1450 Alexandria, VA 22313-1450

Sir,

Please revive the above application since the action of 6/22/05 was responded to on 9/6/05. A copy of the Response is enclosed.

The response was apparently mishandled in the mails or at the PTO and did not reach the Examiner. Applicant was not at fault.

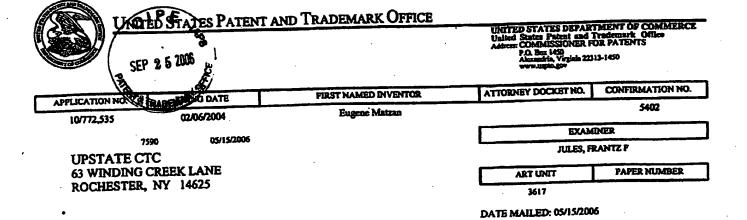
Respectfully,

M.L. LuKacher R.N. 17788

Enclosures: A copy of Response of 6/25/05
A copy of the Notice of Abandonment

I mailed the Response & enclosure to the above address on 9/6/05 by first class mail.

M.L. Lukacher



Please find below and/or attached an Office communication concerning this application or proceeding.

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SEP	2 5 2006
Refi	A COLUMNIA

Notice of Abandonment

Application No.	Applicant(s)	
10/772,535	MATZAN, EUGENE	
Examiner	Art Unit	
Frantz F. Jules	3617	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-
This application is abandoned in view of:
Applicant's failure to timely file a proper reply to the Office letter mailed on <u>22 June 2006</u> . (a) \[A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) \[\text{A proposed reply was received on but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
(c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
(d) 🖾 No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
(a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
(b) The submitted fee of \$ is insufficient. A balance of \$ is due.
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$
(c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.
(b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
 The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
 The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:
FRANTZ F. JULES
PRIMARY EXAMINER
4/2/10
Frantz F. Jüles Primary Examiner
Art Unit: 3617
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Paters and Trademark Office PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 05112006